



The City of New York
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January 18, 2023

BY ECF

Honorable Eric N. Vitaliano
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Bernard McIlwain v. The City of New York, et al.*
1:22-cv-04163 (ENV-RML)
Our No. 2022-058943

To The Honorable Judge Eric N. Vitaliano:

I am an Assistant Corporation Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants City of New York (“City”) and New York City Department of Education (“DOE”)¹ in the above-referenced action. Pursuant to the Court’s order dated January 4, 2023, I am writing to submit a proposed briefing schedule. After conferring with Plaintiff’s counsel, the parties have agreed to the following proposed briefing schedule:

- Defendants shall serve their motion on or before February 24, 2023.
- Plaintiff shall serve her opposition on or before March 24, 2023.
- Defendants shall serve their reply on or before April 7, 2023

cc:

D. Christopher Mason Esq.
Mason Law, PLLC
Attorney for Plaintiff
11 Broadway – Suite 615-8

¹ To date, upon information and belief, individually named Defendants, Charity Guerra, William Jusino, Karen Watts, and Salvatore Mancuso have not been served in this matter. Consequently, the proposed motion to dismiss will be on behalf of DOE and the City

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Respectfully submitted,

[ECF] /S/
David Choi
Assistant Corporation Counsel